

FILED

NOV 02 2018

Clerk, U S District Court
District Of Montana
Billings

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. ETHAN ROBERT CORD ESSER, Defendant.	CR 17-92-BLG-SPW AMENDED FINAL ORDER OF FORFEITURE
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Whereas, in the indictment in the above-captioned case, the United States sought forfeiture, pursuant to 21 U.S.C. § 853, of any real or personal property of the defendant used or intended to be used to facilitate, or as proceeds of said violation;

And whereas, on April 19, 2018, Ethan Robert Cord Esser entered his pleas of guilty to count I of the indictment, which charged him with possession with intent to distribute methamphetamine; and to count II of the indictment, which

charged him with possession of a firearm in furtherance of a drug trafficking crime;

And whereas, the defendant agreed not to contest, or assist others in contesting, the forfeiture sought in the charging document to which the defendant pleaded guilty;

And whereas, by virtue of said guilty pleas, the United States is entitled to possession of said property, pursuant to 21 U.S.C. §§ 841(a)(1) and 853, and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure;

And whereas, beginning on August 25, 2018, and ending on September 23, 2018, the United States published on an official government internet site (www.forfeiture.gov), notice of this forfeiture and of the United States' intent to dispose of the property listed below in accordance with federal law, under 21 U.S.C. § 853(n)(1):

- Brown and silver bolt-action rifle, 7x62 caliber, with no serial number;
- Savage Industries, Inc., model 110E, .243 caliber rifle, serial number E640115;
- Hi-Point, model 995, 9mm caliber rifle, serial number obscured;
- FA Cugir, M&M Inc., M10-762, 7x62 caliber rifle, serial number MA-18143-13;

- L1A1 Sporter, model CA1, .308 caliber rifle, serial number 9602302B60;
- Mossberg, model 500, 12-gauge shotgun, serial number T545750;
- Mossberg model 500, 12-gauge shotgun, with obliterated serial number;
- Bolt-action rifle, unknown manufacturer, serial number BP8155;
- Mossberg, model 100ATR, .270 caliber rifle, serial number BA321762;
- SKS-style semi-automatic rifle, unknown manufacturer, serial number J-333029;
- Marlin, model 1894, .357 lever-action rifle, serial number 20168390;
- Savage Arms Inc., model Axis, 30/06 caliber rifle, serial number H278767;
- Hi-Point, model JBP, .45 ACP caliber pistol, serial number X4158721;
- Smith & Wesson, model 6452, 9mm caliber pistol, serial number RSR0473;
- Beretta, 9mm caliber pistol, serial number TX09972;
- 1911 style pistol, painted pink and black, serial number obscured;
- Ruger, model 1911-style pistol, serial number 671-88667; and
- Approximately \$1,980 in U.S. Currency

And whereas, the Court has been advised that no claims have been made in this case regarding the property and the United States is not aware that any such claims have been made;

ACCORDINGLY, IT IS ORDERED as follows:

1. The United States shall seize the forfeited property described above;
2. The right, title, and interest in the property is condemned, forfeited, and vested in the United States of America for disposition according to applicable law;
3. All forfeited funds shall be deposited forthwith by the United States Marshal into the Department of Justice Asset Forfeiture Fund in accordance with 21 U.S.C. § 853(n)(1); and
4. The Clerk is directed to send copies of this order to all counsel of record and the defendant. The Clerk is further directed to send three certified copies of this order to the United States Marshal.

DATED this 15th day of November, 2018.



SUSAN P. WATTERS

United States District Court Judge